

Introduced by Senator Cedillo

February 18, 2010

An act to add Article 1.5 (commencing with Section 19218) to Chapter 5 of Part 3 of Division 9 of the Food and Agricultural Code, relating to slaughtered animals.

LEGISLATIVE COUNSEL'S DIGEST

SB 1138, as introduced, Cedillo. Horsemeat and pet food: Rendering Industry Advisory Board.

Existing law generally regulates persons engaged in certain businesses dealing with dead animals and pet food processing, including, among others, renderers, pet food processors, dead haulers, and transporters of inedible kitchen grease. These regulatory provisions are administered and enforced by the Department of Food and Agriculture.

This bill would establish in state government the Rendering Industry Advisory Board composed of an unspecified number of persons appointed by the Secretary of Food and Agriculture who are licensed under the above-mentioned regulatory provisions. The bill would authorize the secretary to appoint an additional member to the board who is a public member, as provided. The bill would authorize the board, on or before January 15 of any year, to establish or designate one or more entities to administer all or any part of the above-mentioned regulatory provisions for the fiscal year beginning July 1 of the same year through June 30 of the following year, in accordance with the regulations and procedures adopted or established by the secretary. The bill would provide that the secretary is responsible for the enforcement of these regulatory provisions and for the establishment of enforcement procedures.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 1.5 (commencing with Section 19218) is
2 added to Chapter 5 of Part 3 of Division 9 of the Food and
3 Agricultural Code, to read:

4
5 Article 1.5. Rendering Industry Advisory Board
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7 19218. (a) There is in state government a Rendering Industry
8 Advisory Board consisting of ____ persons appointed by the
9 secretary, who are licensed under this chapter, and who are subject
10 to payment of the rendering program licensing fees in accordance
11 with this chapter, including, but not limited to, licensed renderers,
12 dead haulers, and transporters of inedible kitchen grease. The
13 secretary may appoint one additional member to the board who
14 shall be a public member.

15 (b) Upon the secretary's request, the board shall submit to the
16 secretary the name of at least one natural person, each of whom
17 shall be a citizen and resident of this state and not a producer,
18 transporter, or processor nor financially interested in any producer,
19 transporter, or processor, for appointment by the secretary as a
20 public member of the board. The secretary may appoint this person,
21 or one of the nominees if more than one name is submitted, as the
22 public member on the board. If all nominees are unsatisfactory to
23 the secretary, the board shall continue to submit lists of nominees
24 until the secretary has made a selection. Any vacancy in the office
25 of the public member of the board shall be filled by appointment
26 by the secretary from the nominee or nominees similarly qualified
27 and submitted by the board. The public member of the board shall
28 represent the interests of the general public in all matters coming
29 before the board and shall have the same voting and other rights
30 and immunities as other members of the board.

31 (c) The members of the board shall receive no salary, but are
32 entitled to payment of necessary traveling expenses in accordance
33 with Department of Personnel Administration rules. These expenses
34 shall be paid out of appropriations made to the department.

1 19218.5. (a) In order to avoid administrative charges that may
2 adversely impact persons subject to this chapter, and to provide
3 for more efficient implementation of this chapter, the board may,
4 on or before January 15 of any year, establish or designate one or
5 more entities to administer all or any part of this chapter for the
6 fiscal year beginning July 1 of the same year through June 30 of
7 the following year, in accordance with the regulations and
8 procedures adopted or established by the secretary.

9 (b) Notwithstanding subdivision (a), the secretary shall be
10 responsible for the enforcement of this chapter and for the
11 establishment of enforcement procedures.